

**FOR SETTLEMENT PURPOSES ONLY**  
**ESTIMATED CALCULATION OF DAMAGES**  
**ROBERTO RODRIGUEZ**

**FLSA/NYLL OVERTIME COMPENSATION OWED**

| <b>Year</b> | <b>Period Start Date</b> | <b>Period End Date</b> | <b>Number of Hours Worked Per Period</b><br>(Time Records not Produced Prior to 10/29/17) | <b>Overtime Hours (OTH)</b><br>((Prior to 10/29/17, based on 'Straight Time' Pay as indicated in Pay Records less 2.5 hours per week*) (Post 10/28/17, Hrs Worked - 40 Hrs)) | <b>Regular Rate (RR)</b><br>(Hourly Rate) | <b>Overtime Rate (OTR)</b><br>(RR x 1.5) | <b>Difference b/w OTR and RR</b> | <b>Total Overtime Comp Owed</b><br>(OT Hrs x Diff) |
|-------------|--------------------------|------------------------|---|--|---|--|----------------------------------|--|
| 2015        | 2/8/2015                 | 2/14/2015              | -   | 31.25  | \$ 26.337                                 | \$ 39.51                                 | \$ 13.17                         | \$ 411.56  |
|             | 2/15/2015                | 2/21/2015              | -   | 31.25  | \$ 26.337                                 | \$ 39.51                                 | \$ 13.17                         | \$ 411.56  |
|             | 2/22/2015                | 2/28/2015              | -   | 20.00  | \$ 26.337                                 | \$ 39.51                                 | \$ 13.17                         | \$ 263.40  |
|             | 3/1/2015                 | 3/7/2015               | -   | 20.00  | \$ 26.337                                 | \$ 39.51                                 | \$ 13.17                         | \$ 263.40  |
|             | 3/8/2015                 | 3/14/2015              | -   | 10.00  | \$ 26.337                                 | \$ 39.51                                 | \$ 13.17                         | \$ 131.70  |
|             | 3/15/2015                | 3/21/2015              | -   | 10.00  | \$ 26.337                                 | \$ 39.51                                 | \$ 13.17                         | \$ 131.70  |
|             | 3/22/2015                | 3/28/2015              | -   | 35.25  | \$ 26.337                                 | \$ 39.51                                 | \$ 13.17                         | \$ 464.24  |
|             | 3/29/2015                | 4/4/2015               | -   | 35.25  | \$ 26.337                                 | \$ 39.51                                 | \$ 13.17                         | \$ 464.24  |
|             | 4/5/2015                 | 4/11/2015              | -   | 35.00  | \$ 26.337                                 | \$ 39.51                                 | \$ 13.17                         | \$ 460.95  |
|             | 4/12/2015                | 4/18/2015              | -   | 35.00  | \$ 26.337                                 | \$ 39.51                                 | \$ 13.17                         | \$ 460.95  |
|             | 4/19/2015                | 4/25/2015              | -   | 21.75  | \$ 26.337                                 | \$ 39.51                                 | \$ 13.17                         | \$ 286.45  |
|             | 4/26/2015                | 5/2/2015               | -   | 21.75  | \$ 26.337                                 | \$ 39.51                                 | \$ 13.17                         | \$ 286.45  |
|             | 5/3/2015                 | 5/9/2015               | -   | 35.00  | \$ 26.337                                 | \$ 39.51                                 | \$ 13.17                         | \$ 460.95  |
|             | 5/10/2015                | 5/16/2015              | -   | 35.00  | \$ 26.337                                 | \$ 39.51                                 | \$ 13.17                         | \$ 460.95  |
|             | 5/17/2015                | 5/23/2015              | -   | 20.00  | \$ 26.337                                 | \$ 39.51                                 | \$ 13.17                         | \$ 263.40  |
|             | 5/24/2015                | 5/30/2015              | -   | 20.00  | \$ 26.337                                 | \$ 39.51                                 | \$ 13.17                         | \$ 263.40  |
|             | 5/31/2015                | 6/6/2015               | -   | 12.50  | \$ 26.337                                 | \$ 39.51                                 | \$ 13.17                         | \$ 164.63  |
|             | 6/7/2015                 | 6/13/2015              | -   | 12.50  | \$ 26.337                                 | \$ 39.51                                 | \$ 13.17                         | \$ 164.63  |
|             | 6/14/2015                | 6/20/2015              | -   | 16.25  | \$ 26.337                                 | \$ 39.51                                 | \$ 13.17                         | \$ 214.01  |
|             | 6/21/2015                | 6/27/2015              | -   | 16.25  | \$ 26.337                                 | \$ 39.51                                 | \$ 13.17                         | \$ 214.01  |
|             | 6/28/2015                | 7/4/2015               | -   | 17.75  | \$ 26.337                                 | \$ 39.51                                 | \$ 13.17                         | \$ 233.77  |
|             | 7/5/2015                 | 7/11/2015              | -   | 17.75  | \$ 26.337                                 | \$ 39.51                                 | \$ 13.17                         | \$ 233.77  |
|             | 7/12/2015                | 7/18/2015              | -   | 12.50  | \$ 26.337                                 | \$ 39.51                                 | \$ 13.17                         | \$ 164.63  |
|             | 7/19/2015                | 7/25/2015              | -   | 12.50  | \$ 26.337                                 | \$ 39.51                                 | \$ 13.17                         | \$ 164.63  |
|             | 7/26/2015                | 8/1/2015               | -   | 19.25  | \$ 26.337                                 | \$ 39.51                                 | \$ 13.17                         | \$ 253.52  |
|             | 8/2/2015                 | 8/8/2015               | -   | 19.25  | \$ 26.337                                 | \$ 39.51                                 | \$ 13.17                         | \$ 253.52  |
|             | 8/9/2015                 | 8/15/2015              | -   | 7.00   | \$ 26.337                                 | \$ 39.51                                 | \$ 13.17                         | \$ 92.19   |
|             | 8/16/2015                | 8/22/2015              | -   | 0.00   | \$ 26.337                                 | \$ 39.51                                 | \$ 13.17                         | \$ -   |
|             | 8/23/2015                | 8/29/2015              | -   | 0.00   | \$ 26.337                                 | \$ 39.51                                 | \$ 13.17                         | \$ -   |
|             | 8/30/2015                | 9/5/2015               | -   | 0.00   | \$ 26.337                                 | \$ 39.51                                 | \$ 13.17                         | \$ -   |
|             | 9/6/2015                 | 9/12/2015              | -   | 14.75  | \$ 26.337                                 | \$ 39.51                                 | \$ 13.17                         | \$ 194.26  |
|             | 9/13/2015                | 9/19/2015              | -   | 14.75  | \$ 26.337                                 | \$ 39.51                                 | \$ 13.17                         | \$ 194.26  |

This Calculation is Subject to Change During Conduction of Discovery in This Action

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**ESTIMATED CALCULATION OF DAMAGES**  
**ROBERTO RODRIGUEZ**

|                                  |            |            |   |       |           |          |          |              |
|----------------------------------|------------|------------|---|-------|-----------|----------|----------|--------------|
|                                  | 9/20/2015  | 9/26/2015  | - | 0.00  | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ -         |
|                                  | 9/27/2015  | 10/3/2015  | - | 0.00  | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ -         |
|                                  | 10/4/2015  | 10/10/2015 | - | 8.75  | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ 115.24    |
|                                  | 10/11/2015 | 10/17/2015 | - | 8.75  | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ 115.24    |
|                                  | 10/18/2015 | 10/24/2015 | - | 0.00  | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ -         |
|                                  | 10/25/2015 | 10/31/2015 | - | 0.00  | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ -         |
|                                  | 11/1/2015  | 11/7/2015  | - | 18.50 | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ 243.65    |
|                                  | 11/8/2015  | 11/14/2015 | - | 18.50 | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ 243.65    |
|                                  | 11/15/2015 | 11/21/2015 | - | 35.00 | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ 460.95    |
|                                  | 11/22/2015 | 11/28/2015 | - | 35.00 | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ 460.95    |
|                                  | 11/29/2015 | 12/5/2015  | - | 12.50 | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ 164.63    |
|                                  | 12/6/2015  | 12/12/2015 | - | 12.50 | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ 164.63    |
|                                  | 12/13/2015 | 12/19/2015 | - | 20.00 | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ 263.40    |
|                                  | 12/20/2015 | 12/26/2015 | - | 20.00 | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ 263.40    |
| 2015 Overtime Compensation Owed: |            |            |   |       |           |          |          | \$ 10,522.87 |
| <b>2016</b>                      | 12/27/2015 | 1/2/2016   | - | 7.00  | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ 92.19     |
|                                  | 1/3/2016   | 1/9/2016   | - | 7.00  | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ 92.19     |
|                                  | 1/10/2016  | 1/16/2016  | - | 8.75  | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ 115.24    |
|                                  | 1/17/2016  | 1/23/2016  | - | 8.75  | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ 115.24    |
|                                  | 1/24/2016  | 1/30/2016  | - | 5.00  | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ 65.85     |
|                                  | 1/31/2016  | 2/6/2016   | - | 0.00  | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ -         |
|                                  | 2/7/2016   | 2/13/2016  | - | 16.25 | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ 214.01    |
|                                  | 2/14/2016  | 2/20/2016  | - | 16.25 | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ 214.01    |
|                                  | 2/21/2016  | 2/27/2016  | - | 5.00  | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ 65.85     |
|                                  | 2/28/2016  | 3/5/2016   | - | 5.00  | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ 65.85     |
|                                  | 3/6/2016   | 3/12/2016  | - | 5.00  | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ 65.85     |
|                                  | 3/13/2016  | 3/19/2016  | - | 5.00  | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ 65.85     |
|                                  | 3/20/2016  | 3/26/2016  | - | 16.25 | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ 214.01    |
|                                  | 3/27/2016  | 4/2/2016   | - | 16.25 | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ 214.01    |
|                                  | 4/3/2016   | 4/9/2016   | - | 12.50 | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ 164.63    |
|                                  | 4/10/2016  | 4/16/2016  | - | 12.50 | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ 164.63    |
|                                  | 4/17/2016  | 4/23/2016  | - | 0.00  | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ -         |
|                                  | 4/24/2016  | 4/30/2016  | - | 0.00  | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ -         |
|                                  | 5/1/2016   | 5/7/2016   | - | 0.00  | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ -         |
|                                  | 5/8/2016   | 5/14/2016  | - | 0.00  | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ -         |
|                                  | 5/15/2016  | 5/21/2016  | - | 0.00  | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ -         |
|                                  | 5/22/2016  | 5/28/2016  | - | 0.00  | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ -         |
|                                  | 5/29/2016  | 6/4/2016   | - | 5.00  | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ 65.85     |

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|                                  |            |            |   |      |           |          |          |             |
|----------------------------------|------------|------------|---|------|-----------|----------|----------|-------------|
|                                  | 6/5/2016   | 6/11/2016  | - | 0.00 | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ -        |
|                                  | 6/12/2016  | 6/18/2016  | - | 5.00 | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ 65.85    |
|                                  | 6/19/2016  | 6/25/2016  | - | 0.00 | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ -        |
|                                  | 6/26/2016  | 7/2/2016   | - | 8.75 | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ 115.24   |
|                                  | 7/3/2016   | 7/9/2016   | - | 8.75 | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ 115.24   |
|                                  | 7/10/2016  | 7/16/2016  | - | 6.50 | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ 85.61    |
|                                  | 7/17/2016  | 7/23/2016  | - | 6.50 | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ 85.61    |
|                                  | 7/24/2016  | 7/30/2016  | - | 8.75 | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ 115.24   |
|                                  | 7/31/2016  | 8/6/2016   | - | 8.75 | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ 115.24   |
|                                  | 8/7/2016   | 8/13/2016  | - | 8.75 | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ 115.24   |
|                                  | 8/14/2016  | 8/20/2016  | - | 8.75 | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ 115.24   |
|                                  | 8/21/2016  | 8/27/2016  | - | 5.00 | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ 65.85    |
|                                  | 8/28/2016  | 9/3/2016   | - | 5.00 | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ 65.85    |
|                                  | 9/4/2016   | 9/10/2016  | - | 5.00 | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ 65.85    |
|                                  | 9/11/2016  | 9/17/2016  | - | 5.00 | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ 65.85    |
|                                  | 9/18/2016  | 9/24/2016  | - | 8.50 | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ 111.95   |
|                                  | 9/25/2016  | 10/1/2016  | - | 0.00 | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ -        |
|                                  | 10/2/2016  | 10/8/2016  | - | 5.00 | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ 65.85    |
|                                  | 10/9/2016  | 10/15/2016 | - | 0.00 | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ -        |
|                                  | 10/16/2016 | 10/22/2016 | - | 5.00 | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ 65.85    |
|                                  | 10/23/2016 | 10/29/2016 | - | 0.00 | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ -        |
|                                  | 10/30/2016 | 11/5/2016  | - | 0.00 | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ -        |
|                                  | 11/6/2016  | 11/12/2016 | - | 0.00 | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ -        |
|                                  | 11/13/2016 | 11/19/2016 | - | 5.00 | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ 65.85    |
|                                  | 11/20/2016 | 11/26/2016 | - | 5.00 | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ 65.85    |
|                                  | 11/27/2016 | 12/3/2016  | - | 5.00 | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ 65.85    |
|                                  | 12/4/2016  | 12/10/2016 | - | 0.00 | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ -        |
|                                  | 12/11/2016 | 12/17/2016 | - | 5.00 | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ 65.85    |
|                                  | 12/18/2016 | 12/24/2016 | - | 5.00 | \$ 26.337 | \$ 39.51 | \$ 13.17 | \$ 65.85    |
|                                  | 12/25/2016 | 12/31/2016 | - | 0.50 | \$ 27.127 | \$ 40.69 | \$ 13.56 | \$ 6.78     |
| 2016 Overtime Compensation Owed: |            |            |   |      |           |          |          | \$ 3,766.85 |
| 2017                             | 1/1/2017   | 1/7/2017   | - | 0.00 | \$ 27.127 | \$ 40.69 | \$ 13.56 | \$ -        |
|                                  | 1/8/2017   | 1/14/2017  | - | 0.00 | \$ 27.127 | \$ 40.69 | \$ 13.56 | \$ -        |
|                                  | 1/15/2017  | 1/21/2017  | - | 0.00 | \$ 27.127 | \$ 40.69 | \$ 13.56 | \$ -        |
|                                  | 1/22/2017  | 1/28/2017  | - | 0.00 | \$ 27.127 | \$ 40.69 | \$ 13.56 | \$ -        |
|                                  | 1/29/2017  | 2/4/2017   | - | 0.00 | \$ 27.127 | \$ 40.69 | \$ 13.56 | \$ -        |
|                                  | 2/5/2017   | 2/11/2017  | - | 0.00 | \$ 27.127 | \$ 40.69 | \$ 13.56 | \$ -        |
|                                  | 2/12/2017  | 2/18/2017  | - | 0.00 | \$ 27.127 | \$ 40.69 | \$ 13.56 | \$ -        |

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**ROBERTO RODRIGUEZ**

|  |            |            |       |       |           |          |          |           |
|--|------------|------------|-------|-------|-----------|----------|----------|-----------|
|  | 2/19/2017  | 2/25/2017  | -     | 0.00  | \$ 27.127 | \$ 40.69 | \$ 13.56 | \$ -      |
|  | 2/26/2017  | 3/4/2017   | -     | 0.00  | \$ 27.127 | \$ 40.69 | \$ 13.56 | \$ -      |
|  | 3/5/2017   | 3/11/2017  | -     | 1.00  | \$ 27.127 | \$ 40.69 | \$ 13.56 | \$ 13.56  |
|  | 3/12/2017  | 3/18/2017  | -     | 0.00  | \$ 27.127 | \$ 40.69 | \$ 13.56 | \$ -      |
|  | 3/19/2017  | 3/25/2017  | -     | 0.00  | \$ 27.127 | \$ 40.69 | \$ 13.56 | \$ -      |
|  | 3/26/2017  | 4/1/2017   | -     | 0.00  | \$ 27.127 | \$ 40.69 | \$ 13.56 | \$ -      |
|  | 4/2/2017   | 4/8/2017   | -     | 0.00  | \$ 27.127 | \$ 40.69 | \$ 13.56 | \$ -      |
|  | 4/9/2017   | 4/15/2017  | -     | 0.00  | \$ 27.127 | \$ 40.69 | \$ 13.56 | \$ -      |
|  | 4/16/2017  | 4/22/2017  | -     | 5.00  | \$ 27.127 | \$ 40.69 | \$ 13.56 | \$ 67.80  |
|  | 4/23/2017  | 4/29/2017  | -     | 0.00  | \$ 27.127 | \$ 40.69 | \$ 13.56 | \$ -      |
|  | 4/30/2017  | 5/6/2017   | -     | 0.00  | \$ 27.127 | \$ 40.69 | \$ 13.56 | \$ -      |
|  | 5/7/2017   | 5/13/2017  | -     | 0.00  | \$ 27.127 | \$ 40.69 | \$ 13.56 | \$ -      |
|  | 5/14/2017  | 5/20/2017  | -     | 5.00  | \$ 27.127 | \$ 40.69 | \$ 13.56 | \$ 67.80  |
|  | 5/21/2017  | 5/27/2017  | -     | 0.00  | \$ 27.127 | \$ 40.69 | \$ 13.56 | \$ -      |
|  | 5/28/2017  | 6/3/2017   | -     | 0.00  | \$ 27.127 | \$ 40.69 | \$ 13.56 | \$ -      |
|  | 6/4/2017   | 6/10/2017  | -     | 0.00  | \$ 27.127 | \$ 40.69 | \$ 13.56 | \$ -      |
|  | 6/11/2017  | 6/17/2017  | -     | 0.00  | \$ 27.127 | \$ 40.69 | \$ 13.56 | \$ -      |
|  | 6/18/2017  | 6/24/2017  | -     | 0.00  | \$ 27.127 | \$ 40.69 | \$ 13.56 | \$ -      |
|  | 6/25/2017  | 7/1/2017   | -     | 8.50  | \$ 27.127 | \$ 40.69 | \$ 13.56 | \$ 115.26 |
|  | 7/2/2017   | 7/8/2017   | -     | 0.00  | \$ 27.127 | \$ 40.69 | \$ 13.56 | \$ -      |
|  | 7/9/2017   | 7/15/2017  | -     | 4.50  | \$ 27.127 | \$ 40.69 | \$ 13.56 | \$ 61.02  |
|  | 7/16/2017  | 7/22/2017  | -     | 0.00  | \$ 27.127 | \$ 40.69 | \$ 13.56 | \$ -      |
|  | 7/23/2017  | 7/29/2017  | -     | 4.50  | \$ 27.127 | \$ 40.69 | \$ 13.56 | \$ 61.02  |
|  | 7/30/2017  | 8/5/2017   | -     | 4.50  | \$ 27.127 | \$ 40.69 | \$ 13.56 | \$ 61.02  |
|  | 8/6/2017   | 8/12/2017  | -     | 0.00  | \$ 27.127 | \$ 40.69 | \$ 13.56 | \$ -      |
|  | 8/13/2017  | 8/19/2017  | -     | 0.00  | \$ 27.127 | \$ 40.69 | \$ 13.56 | \$ -      |
|  | 8/20/2017  | 8/26/2017  | -     | 7.50  | \$ 27.127 | \$ 40.69 | \$ 13.56 | \$ 101.70 |
|  | 8/27/2017  | 9/2/2017   | -     | 0.00  | \$ 27.127 | \$ 40.69 | \$ 13.56 | \$ -      |
|  | 9/3/2017   | 9/9/2017   | -     | 0.00  | \$ 27.127 | \$ 40.69 | \$ 13.56 | \$ -      |
|  | 9/10/2017  | 9/16/2017  | -     | 0.00  | \$ 27.127 | \$ 40.69 | \$ 13.56 | \$ -      |
|  | 9/17/2017  | 9/23/2017  | -     | 0.00  | \$ 27.127 | \$ 40.69 | \$ 13.56 | \$ -      |
|  | 9/24/2017  | 9/30/2017  | -     | 0.00  | \$ 27.127 | \$ 40.69 | \$ 13.56 | \$ -      |
|  | 10/1/2017  | 10/7/2017  | -     | 12.50 | \$ 27.127 | \$ 40.69 | \$ 13.56 | \$ 169.50 |
|  | 10/8/2017  | 10/14/2017 | -     | 12.50 | \$ 27.127 | \$ 40.69 | \$ 13.56 | \$ 169.50 |
|  | 10/15/2017 | 10/21/2017 | -     | 4.50  | \$ 27.127 | \$ 40.69 | \$ 13.56 | \$ 61.02  |
|  | 10/22/2017 | 10/28/2017 | -     | 4.50  | \$ 27.127 | \$ 40.69 | \$ 13.56 | \$ 61.02  |
|  | 10/29/2017 | 11/4/2017  | 36.33 | 0.00  | \$ 27.127 | \$ 40.69 | \$ 13.56 | \$ -      |
|  | 11/5/2017  | 11/11/2017 | 43.12 | 3.12  | \$ 27.127 | \$ 40.69 | \$ 13.56 | \$ 42.31  |

This Calculation is Subject to Change During Conduction of Discovery in This Action

|   |
|---|
| <b>FOR SETTLEMENT PURPOSES ONLY</b>     |
| <b>ESTIMATED CALCULATION OF DAMAGES</b> |
| <b>ROBERTO RODRIGUEZ</b>                |

|                                  |            |            |       |       |           |          |          |             |
|----------------------------------|------------|------------|-------|-------|-----------|----------|----------|-------------|
|                                  | 11/12/2017 | 11/18/2017 | 50.14 | 10.14 | \$ 27.127 | \$ 40.69 | \$ 13.56 | \$ 137.50   |
|                                  | 11/19/2017 | 11/25/2017 | 41.02 | 1.02  | \$ 27.127 | \$ 40.69 | \$ 13.56 | \$ 13.83    |
|                                  | 11/26/2017 | 12/2/2017  | 41.28 | 1.28  | \$ 27.127 | \$ 40.69 | \$ 13.56 | \$ 17.36    |
|                                  | 12/3/2017  | 12/9/2017  | 70.48 | 30.48 | \$ 27.127 | \$ 40.69 | \$ 13.56 | \$ 413.31   |
|                                  | 12/10/2017 | 12/16/2017 | 60.60 | 20.60 | \$ 27.127 | \$ 40.69 | \$ 13.56 | \$ 279.34   |
|                                  | 12/17/2017 | 12/23/2017 | 49.38 | 9.38  | \$ 27.127 | \$ 40.69 | \$ 13.56 | \$ 127.19   |
|                                  | 12/24/2017 | 12/30/2017 | 40.38 | 0.38  | \$ 27.94  | \$ 41.91 | \$ 13.97 | \$ 5.31     |
| 2017 Overtime Compensation Owed: |            |            |       |       |           |          |          | \$ 2,046.37 |
| <b>2018</b>                      | 12/31/2017 | 1/6/2018   | 8.02  | 0.00  | \$ 27.94  | \$ 41.91 | \$ 13.97 | \$ -        |
|                                  | 1/7/2018   | 1/13/2018  | 35.87 | 0.00  | \$ 27.94  | \$ 41.91 | \$ 13.97 | \$ -        |
|                                  | 1/14/2018  | 1/20/2018  | 58.38 | 18.38 | \$ 27.94  | \$ 41.91 | \$ 13.97 | \$ 256.77   |
|                                  | 1/21/2018  | 1/27/2018  | 40.92 | 0.92  | \$ 27.94  | \$ 41.91 | \$ 13.97 | \$ 12.85    |
|                                  | 1/28/2018  | 2/3/2018   | 49.91 | 9.91  | \$ 27.94  | \$ 41.91 | \$ 13.97 | \$ 138.44   |
|                                  | 2/4/2018   | 2/10/2018  | 42.78 | 2.78  | \$ 27.94  | \$ 41.91 | \$ 13.97 | \$ 38.84    |
|                                  | 2/11/2018  | 2/17/2018  | 46.84 | 6.84  | \$ 27.94  | \$ 41.91 | \$ 13.97 | \$ 95.55    |
|                                  | 2/18/2018  | 2/24/2018  | 44.95 | 4.95  | \$ 27.94  | \$ 41.91 | \$ 13.97 | \$ 69.15    |
|                                  | 2/25/2018  | 3/3/2018   | 62.88 | 22.88 | \$ 27.94  | \$ 41.91 | \$ 13.97 | \$ 319.63   |
|                                  | 3/4/2018   | 3/10/2018  | 40.78 | 0.78  | \$ 27.94  | \$ 41.91 | \$ 13.97 | \$ 10.90    |
|                                  | 3/11/2018  | 3/17/2018  | 52.51 | 12.51 | \$ 27.94  | \$ 41.91 | \$ 13.97 | \$ 174.76   |
|                                  | 3/18/2018  | 3/24/2018  | 41.73 | 1.73  | \$ 27.94  | \$ 41.91 | \$ 13.97 | \$ 24.17    |
|                                  | 3/25/2018  | 3/31/2018  | 41.65 | 1.65  | \$ 27.94  | \$ 41.91 | \$ 13.97 | \$ 23.05    |
|                                  | 4/1/2018   | 4/7/2018   | 33.92 | 0.00  | \$ 27.94  | \$ 41.91 | \$ 13.97 | \$ -        |
|                                  | 4/8/2018   | 4/14/2018  | 25.08 | 0.00  | \$ 27.94  | \$ 41.91 | \$ 13.97 | \$ -        |
|                                  | 4/15/2018  | 4/21/2018  | 52.79 | 12.79 | \$ 27.94  | \$ 41.91 | \$ 13.97 | \$ 178.68   |
|                                  | 4/22/2018  | 4/28/2018  | 51.50 | 11.50 | \$ 27.94  | \$ 41.91 | \$ 13.97 | \$ 160.66   |
|                                  | 4/29/2018  | 5/5/2018   | 51.98 | 11.98 | \$ 27.94  | \$ 41.91 | \$ 13.97 | \$ 167.36   |
|                                  | 5/6/2018   | 5/12/2018  | 47.13 | 7.13  | \$ 27.94  | \$ 41.91 | \$ 13.97 | \$ 99.61    |
|                                  | 5/13/2018  | 5/19/2018  | 35.12 | 0.00  | \$ 27.94  | \$ 41.91 | \$ 13.97 | \$ -        |
|                                  | 5/20/2018  | 5/26/2018  | 44.27 | 4.27  | \$ 27.94  | \$ 41.91 | \$ 13.97 | \$ 59.65    |
|                                  | 5/27/2018  | 6/2/2018   | 43.37 | 3.37  | \$ 27.94  | \$ 41.91 | \$ 13.97 | \$ 47.08    |
|                                  | 6/3/2018   | 6/9/2018   | 46.14 | 6.14  | \$ 27.94  | \$ 41.91 | \$ 13.97 | \$ 85.78    |
|                                  | 6/10/2018  | 6/16/2018  | 24.78 | 0.00  | \$ 27.94  | \$ 41.91 | \$ 13.97 | \$ -        |
|                                  | 6/17/2018  | 6/23/2018  | 52.83 | 12.83 | \$ 27.94  | \$ 41.91 | \$ 13.97 | \$ 179.24   |
|                                  | 6/24/2018  | 6/30/2018  | 49.38 | 9.38  | \$ 27.94  | \$ 41.91 | \$ 13.97 | \$ 131.04   |
|                                  | 7/1/2018   | 7/7/2018   | 10.23 | 0.00  | \$ 27.94  | \$ 41.91 | \$ 13.97 | \$ -        |
|                                  | 7/8/2018   | 7/14/2018  | 55.72 | 15.72 | \$ 27.94  | \$ 41.91 | \$ 13.97 | \$ 219.61   |
|                                  | 7/15/2018  | 7/21/2018  | 55.09 | 15.09 | \$ 27.94  | \$ 41.91 | \$ 13.97 | \$ 210.81   |
|                                  | 7/22/2018  | 7/28/2018  | 44.41 | 4.41  | \$ 27.94  | \$ 41.91 | \$ 13.97 | \$ 61.61    |

This Calculation is Subject to Change During Conduction of Discovery in This Action

|   |
|---|
| <b>FOR SETTLEMENT PURPOSES ONLY</b>     |
| <b>ESTIMATED CALCULATION OF DAMAGES</b> |
| <b>ROBERTO RODRIGUEZ</b>                |

|                                  |            |            |       |       |          |          |          |             |
|----------------------------------|------------|------------|-------|-------|----------|----------|----------|-------------|
|                                  | 7/29/2018  | 8/4/2018   | 43.82 | 3.82  | \$ 27.94 | \$ 41.91 | \$ 13.97 | \$ 53.37    |
|                                  | 8/5/2018   | 8/11/2018  | 46.05 | 6.05  | \$ 27.94 | \$ 41.91 | \$ 13.97 | \$ 84.52    |
|                                  | 8/12/2018  | 8/18/2018  | 45.24 | 5.24  | \$ 27.94 | \$ 41.91 | \$ 13.97 | \$ 73.20    |
|                                  | 8/19/2018  | 8/25/2018  | 56.82 | 16.82 | \$ 27.94 | \$ 41.91 | \$ 13.97 | \$ 234.98   |
|                                  | 8/26/2018  | 9/1/2018   | 51.14 | 11.14 | \$ 27.94 | \$ 41.91 | \$ 13.97 | \$ 155.63   |
|                                  | 9/2/2018   | 9/8/2018   | 0.00  | 0.00  | \$ 27.94 | \$ 41.91 | \$ 13.97 | \$ -        |
|                                  | 9/9/2018   | 9/15/2018  | 37.40 | 0.00  | \$ 27.94 | \$ 41.91 | \$ 13.97 | \$ -        |
|                                  | 9/16/2018  | 9/22/2018  | 45.31 | 5.31  | \$ 27.94 | \$ 41.91 | \$ 13.97 | \$ 74.18    |
|                                  | 9/23/2018  | 9/29/2018  | 60.30 | 20.30 | \$ 27.94 | \$ 41.91 | \$ 13.97 | \$ 283.59   |
|                                  | 9/30/2018  | 10/6/2018  | 44.47 | 4.47  | \$ 27.94 | \$ 41.91 | \$ 13.97 | \$ 62.45    |
|                                  | 10/7/2018  | 10/13/2018 | 54.69 | 14.69 | \$ 27.94 | \$ 41.91 | \$ 13.97 | \$ 205.22   |
|                                  | 10/14/2018 | 10/20/2018 | 56.94 | 16.94 | \$ 27.94 | \$ 41.91 | \$ 13.97 | \$ 236.65   |
|                                  | 10/21/2018 | 10/27/2018 | 42.76 | 2.76  | \$ 27.94 | \$ 41.91 | \$ 13.97 | \$ 38.56    |
|                                  | 10/28/2018 | 11/3/2018  | 47.92 | 7.92  | \$ 27.94 | \$ 41.91 | \$ 13.97 | \$ 110.64   |
|                                  | 11/4/2018  | 11/10/2018 | 47.90 | 7.90  | \$ 27.94 | \$ 41.91 | \$ 13.97 | \$ 110.36   |
|                                  | 11/11/2018 | 11/17/2018 | 59.96 | 19.96 | \$ 27.94 | \$ 41.91 | \$ 13.97 | \$ 278.84   |
|                                  | 11/18/2018 | 11/24/2018 | 50.17 | 10.17 | \$ 27.94 | \$ 41.91 | \$ 13.97 | \$ 142.07   |
|                                  | 11/25/2018 | 12/1/2018  | 25.23 | 0.00  | \$ 27.94 | \$ 41.91 | \$ 13.97 | \$ -        |
|                                  | 12/2/2018  | 12/8/2018  | 61.91 | 21.91 | \$ 27.94 | \$ 41.91 | \$ 13.97 | \$ 306.08   |
|                                  | 12/9/2018  | 12/15/2018 | 53.96 | 13.96 | \$ 27.94 | \$ 41.91 | \$ 13.97 | \$ 195.02   |
|                                  | 12/16/2018 | 12/22/2018 | 56.74 | 16.74 | \$ 27.94 | \$ 41.91 | \$ 13.97 | \$ 233.86   |
|                                  | 12/23/2018 | 12/29/2018 | 48.34 | 8.34  | \$ 27.94 | \$ 41.91 | \$ 13.97 | \$ 116.51   |
| 2018 Overtime Compensation Owed: |            |            |       |       |          |          |          | \$ 5,760.97 |
| 2019                             | 12/30/2018 | 1/5/2019   | 0.00  | 0.00  | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ -        |
|                                  | 1/6/2019   | 1/12/2019  | 44.31 | 4.31  | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ 64.65    |
|                                  | 1/13/2019  | 1/19/2019  | 43.80 | 3.80  | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ 57.00    |
|                                  | 1/20/2019  | 1/26/2019  | 46.34 | 6.34  | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ 95.10    |
|                                  | 1/27/2019  | 2/2/2019   | 61.04 | 21.04 | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ 315.60   |
|                                  | 2/3/2019   | 2/9/2019   | 40.67 | 0.67  | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ 10.05    |
|                                  | 2/10/2019  | 2/16/2019  | 43.90 | 3.90  | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ 58.50    |
|                                  | 2/17/2019  | 2/23/2019  | 40.90 | 0.90  | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ 13.50    |
|                                  | 2/24/2019  | 3/2/2019   | 42.76 | 2.76  | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ 41.40    |
|                                  | 3/3/2019   | 3/9/2019   | 24.03 | 0.00  | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ -        |
|                                  | 3/10/2019  | 3/16/2019  | 40.36 | 0.36  | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ 5.40     |
|                                  | 3/17/2019  | 3/23/2019  | 0.00  | 0.00  | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ -        |
|                                  | 3/24/2019  | 3/30/2019  | 0.00  | 0.00  | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ -        |
|                                  | 3/31/2019  | 4/6/2019   | 24.03 | 0.00  | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ -        |
|                                  | 4/7/2019   | 4/13/2019  | 40.69 | 0.69  | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ 10.35    |

This Calculation is Subject to Change During Conduction of Discovery in This Action

|   |
|---|
| <b>FOR SETTLEMENT PURPOSES ONLY</b>     |
| <b>ESTIMATED CALCULATION OF DAMAGES</b> |
| <b>ROBERTO RODRIGUEZ</b>                |

|                                  |            |            |       |       |          |          |          |             |
|----------------------------------|------------|------------|-------|-------|----------|----------|----------|-------------|
|                                  | 4/14/2019  | 4/20/2019  | 40.24 | 0.24  | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ 3.60     |
|                                  | 4/21/2019  | 4/27/2019  | 40.31 | 0.31  | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ 4.65     |
|                                  | 4/28/2019  | 5/4/2019   | 32.32 | 0.00  | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ -        |
|                                  | 5/5/2019   | 5/11/2019  | 8.18  | 0.00  | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ -        |
|                                  | 5/12/2019  | 5/18/2019  | 48.68 | 8.68  | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ 130.20   |
|                                  | 5/19/2019  | 5/25/2019  | 41.75 | 1.75  | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ 26.25    |
|                                  | 5/26/2019  | 6/1/2019   | 32.77 | 0.00  | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ -        |
|                                  | 6/2/2019   | 6/8/2019   | 40.62 | 0.62  | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ 9.30     |
|                                  | 6/9/2019   | 6/15/2019  | 32.38 | 0.00  | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ -        |
|                                  | 6/16/2019  | 6/22/2019  | 33.52 | 0.00  | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ -        |
|                                  | 6/23/2019  | 6/29/2019  | 36.64 | 0.00  | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ -        |
|                                  | 6/30/2019  | 7/6/2019   | 29.16 | 0.00  | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ -        |
|                                  | 7/7/2019   | 7/13/2019  | 8.15  | 0.00  | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ -        |
|                                  | 7/14/2019  | 7/20/2019  | 48.82 | 8.82  | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ 132.30   |
|                                  | 7/21/2019  | 7/27/2019  | 37.70 | 0.00  | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ -        |
|                                  | 7/28/2019  | 8/3/2019   | 41.71 | 1.71  | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ 25.65    |
|                                  | 8/4/2019   | 8/10/2019  | 41.19 | 1.19  | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ 17.85    |
|                                  | 8/11/2019  | 8/17/2019  | 24.24 | 0.00  | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ -        |
|                                  | 8/18/2019  | 8/24/2019  | 42.40 | 2.40  | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ 36.00    |
|                                  | 8/25/2019  | 8/31/2019  | 0.00  | 0.00  | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ -        |
|                                  | 9/1/2019   | 9/7/2019   | 42.12 | 2.12  | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ 31.80    |
|                                  | 9/8/2019   | 9/14/2019  | 42.82 | 2.82  | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ 42.30    |
|                                  | 9/15/2019  | 9/21/2019  | 36.53 | 0.00  | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ -        |
|                                  | 9/22/2019  | 9/28/2019  | 43.47 | 3.47  | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ 52.05    |
|                                  | 9/29/2019  | 10/5/2019  | 45.66 | 5.66  | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ 84.90    |
|                                  | 10/6/2019  | 10/12/2019 | 46.39 | 6.39  | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ 95.85    |
|                                  | 10/13/2019 | 10/19/2019 | 50.89 | 10.89 | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ 163.35   |
|                                  | 10/20/2019 | 10/26/2019 | 50.61 | 10.61 | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ 159.15   |
|                                  | 10/27/2019 | 11/2/2019  | 45.00 | 5.00  | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ 75.00    |
|                                  | 11/3/2019  | 11/9/2019  | 53.01 | 13.01 | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ 195.15   |
|                                  | 11/10/2019 | 11/16/2019 | 45.97 | 5.97  | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ 89.55    |
|                                  | 11/17/2019 | 11/23/2019 | 39.73 | 0.00  | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ -        |
|                                  | 11/24/2019 | 11/30/2019 | 36.40 | 0.00  | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ -        |
|                                  | 12/1/2019  | 12/7/2019  | 50.60 | 10.60 | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ 159.00   |
|                                  | 12/8/2019  | 12/14/2019 | 46.48 | 6.48  | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ 97.20    |
|                                  | 12/15/2019 | 12/21/2019 | 46.27 | 6.27  | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ 94.05    |
|                                  | 12/22/2019 | 12/28/2019 | 45.47 | 5.47  | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ 82.05    |
| 2019 Overtime Compensation Owed: |            |            |       |       |          |          |          | \$ 2,478.75 |

This Calculation is Subject to Change During Conduction of Discovery in This Action

|   |
|---|
| <b>FOR SETTLEMENT PURPOSES ONLY</b>     |
| <b>ESTIMATED CALCULATION OF DAMAGES</b> |
| <b>ROBERTO RODRIGUEZ</b>                |

|                                       |            |           |       |      |          |          |          |                     |
|---------------------------------------|------------|-----------|-------|------|----------|----------|----------|---------------------|
| <b>2020</b>                           | 12/29/2019 | 1/4/2020  | 16.00 | 0.00 | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ -                |
|                                       | 1/5/2020   | 1/11/2020 | 48.88 | 8.88 | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ 133.20           |
|                                       | 1/12/2020  | 1/18/2020 | 42.43 | 2.43 | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ 36.45            |
|                                       | 1/19/2020  | 1/25/2020 | 47.17 | 7.17 | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ 107.55           |
|                                       | 1/26/2020  | 2/1/2020  | 46.73 | 6.73 | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ 100.95           |
|                                       | 2/2/2020   | 2/8/2020  | 49.03 | 9.03 | \$ 30.00 | \$ 45.00 | \$ 15.00 | \$ 135.45           |
| 2020 Overtime Compensation Owed:      |            |           |       |      |          |          |          | \$ 513.60           |
| <b>TOTAL FLSA/NYLL OVERTIME OWED:</b> |            |           |       |      |          |          |          | <b>\$ 25,089.41</b> |

\*Prior to 10/29/2017 - bi-weekly periods in which 'Straight Time' Pay is 11 hours or less presumes such hours were worked in a single week during the bi-weekly period

| NYLL 195(3) WAGE STATEMENT STATUTORY DAMAGES                    |                   |                 |                        |   |  |                              |   |
|---|-------------------|-----------------|------------------------|---|--|------------------------------|---|
| Year  | Period Start Date | Period End Date | Number of Weeks Worked | Mininum Number of Days Worked per Week<br>(not applicable prior to Feb. 27, 2015) | Total Number of Work Days<br>(Weeks Worked x Work Days per Week) (not applicable prior to Feb. 27, 2015) | NYLL 195(3) Notices Received | Statutory Penalties<br>(\$100.00 x No. of Weeks prior to Feb. 27, 2015)<br>(\$250.00 x No. of Days after Feb. 26, 2015) |
| <b>2015</b>   | 2/8/2015          | 2/26/2015       | 2.71                   | -   | -  | Inaccurate                   | \$ 271.43   |
| <b>2015</b>   | 2/27/2015         | 12/26/2015      | 43.29                  | 5.00  | 216.43   | Inaccurate                   | \$ 54,107.50  |
| <b>2016</b>   | 12/27/2015        | 12/31/2016      | 53.00                  | 5.00  | 265.00   | Inaccurate                   | \$ 66,250.00  |
| <b>2017</b>   | 1/1/2017          | 12/30/2017      | 52.00                  | 5.00  | 260.00   | Inaccurate                   | \$ 65,000.00  |
| <b>2018</b>   | 12/31/2017        | 12/29/2018      | 52.00                  | 5.00  | 260.00   | Inaccurate                   | \$ 65,000.00  |
| <b>2019</b>   | 12/30/2018        | 12/28/2019      | 52.00                  | 5.00  | 260.00   | Inaccurate                   | \$ 65,000.00  |
| <b>2020</b>   | 12/29/2019        | 2/8/2020        | 6.00                   | 5.00  | 30.00  | Inaccurate                   | \$ 7,500.00   |
| Gross Total:  |                   |                 |                        |   |  |                              | \$ 323,128.93   |
| <b>TOTAL NYLL 195(3) PENALTIES (\$5,000 Statutory Maximum):</b> |                   |                 |                        |   |  |                              | <b>\$ 5,000.00</b>  |



|   |  |
|---|--|
| <b>FOR SETTLEMENT PURPOSES ONLY</b>     |  |
| <b>ESTIMATED CALCULATION OF DAMAGES</b> |  |
| <b>ROBERTO RODRIGUEZ</b>                |  |

| <b>CPLR INTEREST PURSUANT TO NY LAW</b>  |                                   |                                  |   |                               |                       |  |
|--|-----------------------------------|----------------------------------|---|-------------------------------|-----------------------|--|
| <b>NYLL Claims<br/>Period Start</b>      | <b>NYLL Claims<br/>Period End</b> | <b>Approximate<br/>Mid-Point</b> | <b>Number of Years<br/>From Mid-Point to<br/>June 2, 2022</b> | <b>9% Interest Rate/ Year</b> | <b>NYLL Comp Owed</b> | <b>Total Interest<br/>Owed</b><br>(No. Years x 0.09 x NYLL<br>Comp Owed) |
| <b>2/8/2015</b>                          | <b>2/8/2020</b>                   | 8/9/2017                         | 4.82  | 0.09                          | \$ 25,089.41          | \$ 10,875.74   |
| <b>TOTAL CPLR INTEREST OWED TO DATE:</b> |                                   |                                  |   |                               |                       | <b>\$ 10,875.74</b>  |

| <b>NYLL LIQUIDATED DAMAGES</b>        |                           |             |                     |
|---------------------------------------|---------------------------|-------------|---------------------|
| <b>Year</b>                           | <b>NYLL Comp<br/>Owed</b> | <b>LD %</b> | <b>LD Per Year</b>  |
| <b>2015</b>                           | \$ 10,522.87              | 100%        | \$ 10,522.87        |
| <b>2016</b>                           | \$ 3,766.85               | 100%        | \$ 3,766.85         |
| <b>2017</b>                           | \$ 2,046.37               | 100%        | \$ 2,046.37         |
| <b>2018</b>                           | \$ 5,760.97               | 100%        | \$ 5,760.97         |
| <b>2019</b>                           | \$ 2,478.75               | 100%        | \$ 2,478.75         |
| <b>2020</b>                           | \$ 513.60                 | 100%        | \$ 513.60           |
| <b>TOTAL NYLL LIQUIDATED DAMAGES:</b> |                           |             | <b>\$ 25,089.41</b> |

|  |                     |
|--|---------------------|
| Total Overtime Compensation Owed:                                | \$ 25,089.41        |
| Total Wage Statement Penalties:                                  | \$ 5,000.00         |
| Total Liquidated Damages Owed:                                   | \$ 25,089.41        |
| Total Interest Owed:   | \$ 10,875.74        |
| <b>*ESTIMATED TOTAL:</b>   | <b>\$ 66,054.56</b> |
| <b>*Plus reasonable attorneys' fees, costs and disbursements</b> |                     |